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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/804,012

03/19/2004

Jac-ryong Park

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21171 7590 01/18/2007
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EXAMINER

COCKS, JOSIAH C

ART UNIT

PAPER NUMBER

3749

MAIL DATE

DELIVERY MODE

01/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/804,012

Applicant(s)

PARK ET AL.

Examiner

Josiah Cocks

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 December 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41:37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☒ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

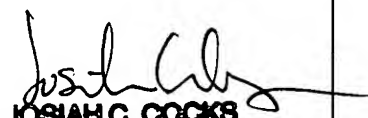
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


JOSIAH C. COCKS
PRIMARY EXAMINER

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Continuation Sheet (PTO-303)

Continuation of item 3. NOTE:

The proposed amendment introduces new claim 18 without canceling a corresponding number of finally rejected claims. Further, new proposed claim 18 results in a claim having a scope not previously considered by the examiner and would necessitate further consideration and/or search

Continuation of item 11:

Applicant's arguments submitted 12/26/07 have been carefully considered but are not persuasive. The examiner maintains the rejections of claims 1, 5, and 7-17 that were presented in the Office action mailed 10/04/2006.

Applicant first argues that the web (64) of Davis is not combined with the liner (18) or has an opening part corresponding with the window (56 or 58) in a manner that meets applicant's claim limitation of "a plate part combined with the inner cover and having an opening part correspond to the window.." (response, p. 6) The examiner does not agree.

Turning to Fig. 12 of Davis, the examiner considers that the window opening (44) is defined by the end of channel (46) (see also Davis, col. 2, lines 63-65). The inner liner (18), including ledge (48), is regarded as applicant's recited inner cover. Web (64), which the examiner has regarded as applicant's recited plate part, includes a vertically extending sidewall (60) and a spring flange (68) which engages window (56). Applicant's recited "opening part" is considered

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to read on the space formed to the left of web (64) and beneath spring flange (68) that receives window (56).

Applicant further contends that because there is no opening part there can be no “supporter integrally combined with the plate part and extended from a periphery of the opening part...” as recited. The examiner does not agree.

As noted above, Davis does disclose an “opening part.” Further, at least wall (60) and flange (68) are integrally formed with web/plate (64) and extend from a periphery of the opening part. Further at least flange (68) extend from the periphery of the opening part “toward an inside of the oven compartment” as recited.

Applicant also argues that the limitation appearing in claim 13 “...attaching a support member to the inner cover” is not present in Davis. The examiner does not agree.

As shown in Fig. 12 of Davis, the supporting member formed by at least web/plate (64), wall (60) and spring flange (68) is considered to be “attached” to the inner liner (18) at least by virtue of the sealing connection made with gasket (120) (see at least col. 4, lines 10-13). This structure of Davis is considered to anticipate applicant’s corresponding claim recitation.

Applicant also argues that applicant’s claim 15 is patentable over Davis because of the recitation of “the supporting member further comprises a plurality of bosses which project from the outer surface of the supporting member and through which screws pass toward the inner cover.”

However, the examiner notes that as to this claim, as shown in Fig. 12 insulation retainer (24) is considered to form part of the recited supporting portion. This insulation retainer includes

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guide embossments/bosses (78) which project from a surface of the supporting member and through which screws (136) pass (see col. 4, lines 41-65).

Accordingly, applicant's claims are not considered to patentably distinguish applicant's invention over the prior art.